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Attorneys for Plaintiff
Victor Renard Harrison

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VICTOR RENARD HARRISON,)	Case No.: 1:20-cv-01558-EPG
)	
Plaintiff,)	ORDER RE: STIPULATION AND
)	PROPOSED ORDER FOR THE AWARD
vs.)	AND PAYMENT OF ATTORNEY FEES
)	AND EXPENSES PURSUANT TO THE
KILOLO KIJAKAZI,)	EQUAL ACCESS TO JUSTICE ACT, 28
Acting Commissioner of Social Security,)	U.S.C. § 2412(d) AND COSTS PURSUANT
)	TO 28 U.S.C. § 1920
Defendant.)	(ECF No.28).
)	

TO THE HONORABLE ERICA P. GROSJEAN, MAGISTRATE JUDGE OF THE
DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their undersigned
counsel, subject to the approval of the Court, that Victor Renard Harrison be awarded attorney
fees and expenses in the amount of four thousand three hundred fifty dollars (\$4,350.00) under
the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. §

1920. This amount represents compensation for all legal services rendered on behalf of Harrison by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

After the Court issues an order for EAJA fees to Victor Renard Harrison, the government will consider the matter of Harrison's assignment of EAJA fees to Lawrence D. Rohlffing. The retainer agreement containing the assignment is attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

Fees shall be made payable to Victor Renard Harrison, but if the Department of the Treasury determines that Harrison does not owe a federal debt, then the government shall cause the payment of fees, expenses and costs to be made directly to Law Offices of Lawrence D. Rohlffing, Inc., CPC, pursuant to the assignment executed by Victor Renard Harrison.¹ Any payments made shall be delivered to Lawrence D. Rohlffing.

This stipulation constitutes a compromise settlement of Victor Renard Harrison's request for EAJA attorney fees and does not constitute an admission of liability on the part of Defendant under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any and all claims that Victor Renard Harrison and/or Lawrence D. Rohlffing including Law Offices of Lawrence D. Rohlffing, Inc., CPC may have relating to EAJA attorney fees in connection with this action.

This award is without prejudice to the rights of Lawrence D. Rohlffing and/or the Law Offices of Lawrence D. Rohlffing, Inc., CPC to seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

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¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien under federal law against the recovery of EAJA fees that survives the Treasury Offset Program.

DATE: September 20, 2022 Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

/s/ Lawrence D. Rohlfing

BY: _____

Lawrence D. Rohlfing
Attorney for plaintiff Victor Renard Harrison

DATED: September 20, 2022

PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

/s/ Oscar Gonzalez

OSCAR GONZALEZ
Special Assistant United States Attorney
Attorneys for Defendant
KILOLO KIJAKAZI, Acting Commissioner of Social
Security (Per e-mail authorization)

ORDER

Based upon the parties' stipulation (ECF No. 28), IT IS ORDERED that fees and expenses in the amount of \$4,350.00 as authorized by the Equal Access to Justice Act, 28 U.S.C. § 2412(d), and no costs as authorized by 28 U.S.C. § 1920, be awarded subject to the terms of the stipulation. Given the parties' stipulation, the Clerk of Court is respectfully directed to terminate Plaintiff's motion for attorney fees (ECF No. 26).

IT IS SO ORDERED.

Dated: **September 22, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 12631 East Imperial Highway, Suite C-115, Santa Fe Springs, California 90670.

On this day of September 22, 2022, I served the foregoing document described as STIPULATION FOR THE AWARD AND PAYMENT OF ATTORNEY FEES AND EXPENSES PURSUANT TO THE EQUAL ACCESS TO JUSTICE ACT, 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. § 1920 on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Mr. Victor Renard Harrison, Jr.
601 El Tejon Ave
Bakersfield, CA 93308

I caused such envelope with postage thereon fully prepaid to be placed in the United States mail at Santa Fe Springs, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

I declare that I am employed in the office of a member of this court at whose direction the service was made.

Lawrence D. Rohlfing
TYPE OR PRINT NAME

/s/ Lawrence D. Rohlfing
SIGNATURE

**CERTIFICATE OF SERVICE
FOR CASE NUMBER 1:20-CV-01558-EPG**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for this court by using the CM/ECF system on September 21, 2022.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system, except the plaintiff served herewith by mail.

/s/ Lawrence D. Rohlfig

Lawrence D. Rohlfig
Attorneys for Plaintiff